

satisfactory showing that, from a safety of life standpoint, frequencies above 25 MHz will not meet the operational requirements of the applicant. These frequencies are available for assignment in many areas; however, in individual cases such assignment may be impracticable due to conflicting frequency use authorized to stations in other services by this and other countries. In such cases, a substitute frequency, if found to be available, may be assigned from the following bands 1605-1750, 2107-2170, 2194-2495, 2506-2850, 3155-3400, or 4438-4650 kHz. Since such assignments are in certain instances subject to additional technical and operation limitation, it is necessary that each application also include precise information concerning transmitter output power, type and directional characteristics, if any, of the antenna, and the minimum necessary hours of operation. (This section is not applicable to the Radiolocation Radio Service, subpart F.)

§ 90.264 Disaster communications between 2 and 10 MHz.

(a) The use of any particular frequency between 2 and 10 MHz is limited to those frequencies falling within the bands allocated to the fixed and land mobile services as indicated in § 2.106 of the Commission's Rules and Regulations.

(b) Only in the following circumstances will authority be extended to stations to operate on the frequencies between 2 and 10 MHz:

(1) To provide communications circuits in emergency and/or disaster situations, where safety of life and property are concerned;

(2) To provide standby and/or backup communications circuits to regular domestic communications circuits which have been disrupted by disasters and/or emergencies.

(c) The FCC will not accept responsibility for protection of the circuits from harmful interference caused by foreign operations.

(d) In the event that a complaint of harmful interference resulting from operation of these circuits is received from a foreign source, the offending circuit(s) must cease operation on the particular frequency concerned immediately upon notification by the Commission.

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(e) In order to accommodate the situations described in paragraphs (c) and (d) of this section, the equipment shall be capable of transmitting and receiving on any frequency within the bands between 2 and 10 MHz and capable of immediate change among the frequencies.

(f) Only 2K80J3E, 100HA1A and those emission types listed in § 90.237(g) are permitted.

(g) Applicants must fulfill eligibility requirements set out in § 90.17(c)(25) and shall submit disaster communications plans pursuant to § 90.129(m).

(h) Training exercises which require use of these frequencies for more than 420 minutes per week, cumulative, are not authorized without prior written approval from the Commission.

[46 FR 52373, Oct. 27, 1981, as amended at 48 FR 32831, July 19, 1983; 49 FR 48712, Dec. 14, 1984]

§ 90.265 Assignment and use of frequencies in the bands 169-172 MHz and 406-413 MHz.

(a) The following frequencies are available for assignment to fixed stations in the Power, Petroleum, Forest Products, Special Industrial, Business and Railroad Radio Services subject to the provisions of this section:

FREQUENCIES (MHz)	
169.425	171.125
169.450	171.825
169.475	171.850
169.500	171.875
169.525	171.900
170.225	171.925
170.250	406.125
170.275	406.175
170.300	409.675
170.325	409.725
171.025	412.625
171.050	412.675
171.075	412.725
171.100	412.775

(1) The use of these frequencies is limited to transmitting hydrological or meteorological data.

(2) All use of these frequencies is on a secondary basis to Federal Government stations and the hydrological or meteorological data being handled must be made available on request to governmental agencies.